

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

**VOICE SIGNAL TECHNOLOGIES, INC.'S MOTION FOR AN ORDER
ENJOINING NUANCE FROM SOLICITING VOICE SIGNAL EMPLOYEES**

The Defendant Voice Signal Technologies, Inc. (“Voice Signal”) hereby requests an order from this Court enjoining the Plaintiff, ScanSoft, Inc. (“Nuance”),¹ and its officers, agents, servants, employees and attorneys, from contacting any of Voice Signal’s current employees for purposes that might interfere in any way with their contractual agreements with Voice Signal. It further seeks an order requiring Nuance to provide it with a list of the names of all Voice Signal employees that it or its agents have contacted for recruiting purposes in the last six months.

It has come to Voice Signal's attention that Nuance has recently engaged in a systematic and active effort to solicit key Voice Signal employees to leave Voice Signal to join Nuance, in direct and knowing violation of those employees' non-competition agreements. Nuance's recent attempts to hire away key Voice Signal employees – in flagrant violation of their non-

¹ Nuance is the corporate successor to the Plaintiff ScanSoft, Inc.

competition agreements – constitute its latest move in its quest to crush or acquire Voice Signal. It should be enjoined.

The grounds for this Motion are more fully set forth in Voice Signal's Memorandum Of Law In Support Of Its Motion For An Order Enjoining Nuance From Soliciting Voice Signal Employees and the Affidavits of Laurence Gillick, Chris Reiner, Lars Fjeldsoe Nielsen, Mira Genser and Sarah Chapin Columbia, all of which are filed herewith.

WHEREFORE, the Defendant Voice Signal Technologies, Inc. requests that this Court issue an order:

1. Enjoining Nuance, and its officers, agents, servants, employees and attorneys, and those persons in active concert or participation with it and them, from contacting, directly or indirectly, in any way or fashion, any present employees of Voice Signal for any purpose that might interfere in any way with any contractual agreements between such employees and Voice Signal;
2. Requiring Nuance to provide Voice Signal with a list of all Voice Signal employees that it or its agents have contacted in any way for recruiting purposes in the last six months, within five business days of receipt of this Court's order.

Respectfully submitted,

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Sarah Chapin Columbia

Robert S. Frank, Jr. (BBO No. 177240)

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Dated: February 7, 2007

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for Voice Signal conferred with counsel for ScanSoft on February 7, 2007 in an effort to resolve the issues presented in this motion and that the parties were unable to reach an agreement.

/s/ Sarah Chapin Columbia

CERTIFICATE OF SERVICE

I hereby certify as follows:

1. This document filed through the ECF system will be sent electronically to the registered participants in the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 7, 2007.
2. On February 7, 2007, a true and correct copy of this document and the accompanying pleadings was served by hand to Rebecca L. Hanovice, Esq. of Bromberg & Sunstein LLP, 125 Summer Street, Boston, MA 02111.

/s/ Sarah Chapin Columbia